



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

FEB 20 2001

Ms. Marcia Y. Kinter
Vice President-Government Affairs
Screenprinting and Graphic Imaging
Association International
10015 Main Street
Fairfax, VA 22031

Ref. No. 00-0362

Dear Ms. Kinter:

This is in response to your December 21, 2000 letter requesting clarification on registration requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered as follows:

Q1. Is a facility that ships Class 9 materials (i.e., hazardous waste) in non-bulk containers subject to the hazardous materials registration program requirements?

A1. The answer is no. As provided in § 107.601, the registration program requirements apply to each person who transports or causes to be transported in commerce a quantity of the following hazardous materials:

- (1) A highway-route controlled quantity of Class 7 (radioactive) materials;
- (2) More than 25 kilograms (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
- (3) A package containing more than one liter (1.06 quarts) of a hazardous material the Secretary designates as extremely toxic by inhalation, which has been identified as a material meeting the criteria for a Zone A material that is toxic by inhalation;
- (4) A hazardous material in a bulk packaging, container, or tank with a capacity equal to or greater than 13,248 liters (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
- (5) A shipment in other than a bulk packaging of 2,268 kilograms (5,000 pounds) or more gross weight of a class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required; or
- (6) A quantity of hazardous material that requires placarding under the provisions of subpart F of part 172 of the HMR.

Number six of the above listed items does not apply to those activities of a farmer, as defined in § 171.8, that are in direct support of the farmer's farming operation.



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Q2. If the transporter decides to placard a shipment that does not require a placard, would the shipper be required to register?

A2. The answer is no. The shipment does not meet any of the provisions of § 107.601; thus the shipper is not required to register.

Q3. If the shipper were to offer Class 9 materials in a cargo tank, would the shipper then be subject to the registration requirements?

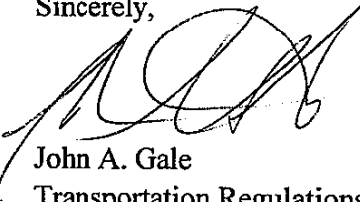
A3. Section 107.601(4) states that a person offering a hazardous material in a bulk packaging, container, or tank with a capacity equal to or greater than 13,248 liters (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids is subject to the registration requirement. This means that a person who offers or transports hazardous materials in a bulk packaging with a capacity greater than 3,500 gallons or 468 cubic feet must register.

Q4. If a shipper only ships combustible liquids in either bulk or non-bulk packagings, would the shipper be required to register?

A4. Combustible liquids in non-bulk packagings do not require placards. Therefore, the registration requirements do not apply to the shipper. A combustible liquid in a bulk packaging requires placards; thus both the shipper and carrier must register.

I hope this satisfies your request. If this Office can be of any further assistance, please contact us.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



**Screenprinting & Graphic Imaging
Association International**

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December 21, 2000

Mr. Edward Mazzullo
Director of Office of Hazmat Standards
US DOT/RSPA (DHM10)
400 7th Street, S.W.
Washington, D.C. 20590-0001

Dear Mr. Mazzullo,

On behalf of the membership of the Screenprinting and Graphic Imaging Association International (SGIA International), the international association for the screen printing and graphic imaging industry and its associated supplier base, I am submitting this letter requesting clarification as to the registration requirements under the Hazardous Materials Transportation program. My purpose in requesting this clarification is to be able to provide consistent and correct advice to the membership regarding this important regulatory requirement. On several occasions, I have contacted the HazMat hotline and have received conflicting information regarding the applicability of this requirement to screen printing facilities.

Under the HazMat program, screen printing facilities ship Class 9 materials, i.e. hazardous waste, in non-bulk containers. Would these facilities need to submit registration information to the US DOT?

A further clarifying question regarding shipment of non-bulk Class 9 materials concerns the actual transporter. If the transporter opts to place a placard on the truck, would the shipper be required to submit registration information?

If these same facilities, rather than shipping their hazardous wastes as non bulk Class 9 materials, they ship Class 9 materials via a tanker truck, would these facilities need to submit registration information to the US DOT?

Finally, if a shipper only ships combustible materials, in either bulk or non-bulk, would the shipper be required to register under the program?

So that I can disseminate the correct information, references to regulatory citations or other DOT materials would be most helpful.

Thank you for your prompt attention to this matter. If you have any questions, I can be reached at 703-359-1313 or by email at marcik@sgia.org.

Sincerely,

Marcia Y. Kinter
Vice President-Government Affairs

Nelson
§ 107.601
Packagings
Registration
00-0362